

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Christof Westenfelder  
Appln. No.: 10/551,317  
Filed: August 21, 2006  
For: Stem- Cell, Precursor Cell, or Target  
Cell-Based Treatment of Multiorgan  
Failure and Renal Dysfunction  
Attorney Docket No: 10402-26

Examiner: To Be Assigned  
Art Unit: 1632

### FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicant hereby cites the following references:

Patent Number	Date	Applicant
6,372,494 B1	04/2002	Naughton et al.
6,429,012 B1	08/2002	Kraus et al.

#### Other Art

Chapel et al.; "Mesenchymal stem cells home to injured tissues when co-infused with hematopoietic cells to treat a radiation-induced multi-organ failure syndrome;" <i>J. Gene Med</i> 2003; 5: 1028-1038; XP-002429830.
Gunsilius et al.; "Hematopoietic stem cells;" <i>Biomed Pharmacother</i> 2001; 55: 186-94; XP-002429903.
Minguell et al.; "Mesenchymal Stem Cells;" XP-002429905.
Tögel et al.; "Administered mesenchymal stem cells protect against ischemic acute renal failure through differentiation-independent mechanisms;" <i>Am J Physiol Renal Physiol</i> 289: F31-F42; 2005; XP-002429829.
Supplementary Partial European Search Report dated April 18, 2007 for European Application No. EP 04 75 8676.

Applicant is enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R. §1.98(a)(3). Applicant respectfully requests the Examiner's consideration of the above references and entry thereof into the record of this application.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Applicant has calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

June 5, 2007

Date

Heidi A. Dare

Heidi A. Dare (Reg. No. 50,775)

FORM PTO-1449	SERIAL NO. 10/551,317	CASE NO. 10402-26
<b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>	FILING DATE August 21, 2006	GROUP ART UNIT 1632
(use several sheets if necessary)		APPLICANT: Christof Westenfelder

**REFERENCE DESIGNATION U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	B1	6,372,494 B1	04/2002	Naughton et al.		
	B2	6,429,012 B1	08/2002	Kraus et al.		

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO

EXAMINER INITIAL	<b>OTHER ART – NON PATENT LITERATURE DOCUMENTS</b> <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.</small>	
	B3	Chapel et al.; "Mesenchymal stem cells home to injured tissues when co-infused with hematopoietic cells to treat a radiation-induced multi-organ failure syndrome;" <i>J. Gene Med</i> 2003; 5: 1028-1038; XP-002429830.
	B4	Gunsilius et al.; "Hematopoietic stem cells;" <i>Biomed Pharmacother</i> 2001; 55: 186-94; XP-002429903.
	B5	Minguell et al.; "Mesenchymal Stem Cells;" XP-002429905.
	B6	Tögel et al.; "Administered mesenchymal stem cells protect against ischemic acute renal failure through differentiation-independent mechanisms;" <i>Am J Physiol Renal Physiol</i> 289: F31-F42; 2005; XP-002429829.
	B7	Supplementary Partial European Search Report dated April 18, 2007 for European Application No. EP 04 75 8676.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /AW/ (12/04/2009)

EXAMINER /Anne Marie Wehbe/ (12/04/2009)	DATE CONSIDERED 12/04/2009
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.